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April 7, 2014

Honorable Judge Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East, Chambers: N 631
Brooklyn, New York 11201

Re: Charles Hans Zizi vs. PNC Bank and ChexSystems
ChexSystems' Motion to Dismiss Complaint
Case No.: 1:13-cv-07212-PKC-RML
Our File No.: FDC 541

Dear Hon. Judge Chen:

Our office represents Defendant Chex Systems, Inc., a/k/a ChexSystems (“ChexSystems”). Pursuant to your Honor’s Individual Practices and Rules 3 and pursuant to the motion briefing scheduled ordered of January 6, 2014 ChexSystems hereby files a motion to dismiss the present complaint pursuant to Fed. R. Civ. P. 12(b)(6) and 12(e). ChexSystems requests that the motion be granted in its entirety. A copy of the motion was served on the parties on December 27, 2013. ChexSystems has not received any opposition to the present motion from the Plaintiff. It is my understanding based on conversation with Kevin Potere, the attorney for PNC Bank, that PNC Bank did not receive any opposition to its motion to dismiss.

Neither this motion nor ChexSystems prior ascent to remove the action from Civil Court to Federal Court are a consent to service or a waiver of Defendant’s right to assert any affirmative defenses including but not limited to the lack of personal jurisdiction due to improper service, as appropriate.

Thank you for your consideration in this matter. Please do not hesitate to contact our office with any questions or concerns.

Very Truly Yours,

/s/ Aleksander Powietrzynski
Aleksander Powietrzynski

cc: Charles Hans Zizi, Plaintiff *Pro Se*
220 Greene Avenue, Brooklyn, NY 11238

Kevin P. Potere, Duane Morris, LLP, Attorneys for Defendant PNC Bank, N.A.,
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